

McCARTHY, JOHNSON & MILLER
LAW CORPORATION
LORI A. NORD, ESQ., #87993
595 Market Street, Suite 2200
San Francisco, CA 94105
Telephone: (415) 882-2992
Facsimile: (415) 882-2992
Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BOARD OF TRUSTEES OF THE PIPE TRADES) No. C 02-05276 RS
DISTRICT COUNCIL NO. 36 HEALTH AND)
WELFARE TRUST FUND; BOARD OF) **NOTICE AND ORDER RE**
TRUSTEES OF THE PIPE TRADES DISTRICT) **DISMISSAL**
COUNCIL NO. 36 PENSION TRUST FUND;)
BOARD OF TRUSTEES OF THE PIPE TRADES)
DISTRICT COUNCIL NO. 36 APPRENTICE)
TRAINING TRUST FUND; BOARD OF)
TRUSTEES OF THE CENTRAL CALIFORNIA)
PIPE TRADES INDUSTRY LABOR-)
MANAGEMENT COOPERATION COMMITTEE)
TRUST FUND,)
)
Plaintiffs,)
)
v.)
)
SAWYER AND McCARTY CORPORATION, a)
California corporation,)
)
Defendant.)

1 PLAINTIFFS HEREBY request that the above-entitled action be
2 dismissed pursuant to Rule 41(a)(1)(i) of the Federal Rules of Civil
3 Procedure.

4 Dated: August _____, 2005

McCARTHY, JOHNSON & MILLER
LAW CORPORATION

6
7 By: _____/s/
LORI A. NORD
Attorneys for Plaintiffs

8
9 SO ORDERED:

10
11 Dated: _August 26, 2005_____

_____/s/ Richard Seeborg_____
JUDGE
United States District Court

DECLARATION OF SERVICE BY MAIL

I am a citizen of the United States and a resident of the State of California. I am over the age of eighteen years and not a party to the within matter. My business address is 595 Market Street, Suite 2200, San Francisco, California 94105.

I am familiar with the practice of McCarthy, Johnson & Miller Law Corporation for collection and processing of correspondence for mailing with the United States Postal Service. It is the practice that correspondence is deposited with the United States Postal Service the same day it is submitted for mailing.

I served the following document(s) by placing a true copy of each such document for collection and mailing, in the course of ordinary business practice, with other correspondence of McCarthy, Johnson & Miller Law Corporation, located at 595 Market Street, Suite 2200, San Francisco, California 94105, on August 25, 2005, enclosed in a sealed envelope with postage fully prepaid, addressed in the manner set forth immediately below this declaration.

Document(s) served:

NOTICE AND ORDER RE DISMISSAL

I declare under penalty of perjury that the foregoing is true and correct.

Dated at San Francisco, California, on August 25, 2005.

By: _____
DIANE NAKAMURA

Sawyer and McCarty Corporation
P.O. Box 5308
Salinas, CA 93915

Bruce Lindsey, Esq.
Law office of Bruce Lindsey
P.O. Box 1817
Salinas, CA 93902-1817